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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,471	02/12/2004	Adnan M.M. Mjalli	41305-296607	2244

7590 12/07/2007
Samuel B. Rollins
Kilpatrick Stockton LLP
1001 West Fourth Street
Winston-Salem, NC 27101

EXAMINER

STOCKTON, LAURA LYNNE

ART UNIT	PAPER NUMBER
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1626

MAIL DATE	DELIVERY MODE
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12/07/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

10/777,471

Applicant(s)

MJALLI ET AL.

Examiner

Laura L. Stockton, Ph.D.

Art Unit

1626

All participants (applicant, applicant's representative, PTO personnel):

(1) Laura L. Stockton, Ph.D.

(3) _____

(2) T. Benjamin Schroeder {Reg. No. 50,990}

(4) _____

Date of Interview: December 4, 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: 1 and 30.

Identification of prior art discussed: Thurieu et al. {WO 2002/10140} and Thurieu et al. {WO 99/64401}.

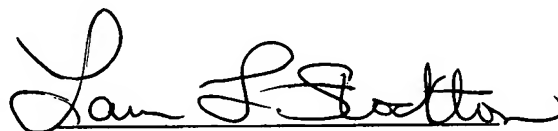
Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's representative called the Examiner to discuss the rejection of the claims under 35 USC 112, first paragraph, and the rejection of the claims under 35 USC 103. In regard to the rejection of Claim 30 under 35 USC 112, Mr. Schroeder argues that the additional therapeutic agents are known in the art. The Examiner responded by stating that examples of the specific therapeutic agents in question were not found in the instant specification. In regard to the rejection of the claims under 35 USC 103, Mr. Schroeder argued that the proposed amendment to the claims in the after-final amendment of November 15, 2007 circumvented the cited prior art of record. The Examiner disagreed and stated that the cited prior art would still make the proposed amended claims obvious. The Examiner further stated that prosecution was closed in the instant application and that the instant application was being examined according to MPEP 803.02. Therefore, even if the Examiner determined that the proposed amendment of November 15, 2007, if entered, would overcome the prior art applied against the claims, the amendment would not have been entered because it would result in further search and consideration. The Examiner made mention that a double bond was missing in the imidazole ring in Formula (1) in claim 1 in the Amendment filed November 15, 2007. Mr. Schroeder stated that the double bond was present in his copy. Upon review of the Application on PAIR, Mr. Schroeder indicated that the Office's scanner must have removed the double bond.

SS
12/4/07